

I applaud the recent action to make explicitly clear that there is no Existing Business Relationship exemption for sending unsolicited commercial faxes. In fact, I believe the TCPA is clearly written such that there is not, and has never been, an EBR exemption for these faxes.

Legislative history of the TCPA shows that there were two version of the original bill, one with an EBR exemption for commercial faxes and one with the EBR exemption for telemarketing only. The latter is the version that emerged from committee.

More practically, I do not want to receive any unsolicited commercial faxes. Just because I called your company once to ask about a product or service does not—and should not—give you the right to bombard me with unsolicited faxes. Just because I have a credit card does not—and should not—mean that their 1000 affiliated financial services companies have the right to junk fax me.

I have an old fax machine at my home. Receiving a fax costs me about \$.10/page. I personally receive a low volume of legitimate faxes, which does not justify buying a newer fax machine just to reduce my cost of junk faxes.

There has never been an EBR exemption for junk faxes, and the recent order makes that clear. I applaud this. I do not want to continue to financially support those who have been violating the law for over 10 years. If I want someone to send commercial faxes to me, I will happily notify them, in writing, of my invitation.